A regular Meeting of the Town Board of the Town of Harrison, Westchester County, New York was held at the Municipal Building, 1 Heineman Place, Harrison, NY, Westchester County, on the 5th day of November at 7:30 PM, Eastern Standard Time. All members having received due notice of said meeting:

MEMBERS PRESENT:

Joan B. Walsh Supervisor

Joseph Cannella)
Thomas Scappaticci) Councilmen
Patrick Vetere)
Fred Sciliano)

ALSO ATTENDING:

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2009 - - 419 STATEMENT BY SUPERVISOR JOAN B. WALSH

Supervisor Joan Walsh stated: Undoubtedly you are as pleased as all the candidates are that the election of this past Tuesday is over. The signs are gone, and the mail has returned to normal. It is definite that I have won re-election, and I feel privileged to again serve you. For our Town Board, there were two races. Councilman Cannella has been re-elected (Congratulations, Joe, and the second race will be determined by the recount of the machines, and the count of the absentee ballots. You may be sure that the results will be in the newspapers and on channel 12 in about 10 days. Town Clerk Acocella and Tax Receiver Nancy Masi have also been re-elected. Congratulations to both of you.

Transparency is one of the hallmarks of who I am and how I govern. To this end, let me take this opportunity to clarify a baseless rumor regarding tax increases for 2010. At no time have I ever recommended there be a 30% tax increase. Any and all such statements alleging that are false and baseless.

The 2010 Budget is going to be challenging. Our revenues are down, and our expenses have not been cut enough to make up the shortfall. Now -- we have to put politics aside, so that the financial priorities are paramount and not any other motivation.

Elections are an opportunity for residents to express their wishes and desires for their elected officials. This election tells us that our residents want us — the Mayor and the Board, to work together, to set aside private and political agenda's and keep the best interest of the residents first and foremost in all that we say and do. To this end we must strive to work together for the common good of our town.

We will have the following:

- 1. <u>Transparency</u> What we say and do as a Board will be transparent to all residents. Every one of us must answer to the residents as they will see and know everything that transpires here. The cloak has been lifted for all to see how we operate and how taxpayer money is spent.
- **2.** <u>Fairness</u> Fairness means putting all of our residents on an equal footing so the voice of each and every resident is heard.
- 3. Fiscal Responsibility As all of us must make adjustments to our current economy, we the town board, town employees and my office must work together and look at every budget item to see where we can achieve savings, to achieve fiscal responsibility and no longer thinking and operating with the assumptions that the residents will continue to pay for reckless spending. We must do all that we can to maintain the quality of life that we have come to enjoy. However, we will not burden our residents with unnecessary taxes and wasteful spending.
- 4. <u>Integrity</u> We will continue to operate and conduct town business with integrity, not only to the residents but to ourselves as well. We will work with our employees and continue to treat each employee fairly and respectfully.

To this end I look forward to serving our town as the Mayor and working with the Board to serve all our residents. This will be our highest and only agenda.

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2009 - - 420 <u>PRESENTATION OF THE 2010 TENTATIVE BUDGET</u> FOR THE TOWN OF HARRISON

Town Clerk Joseph Acocella presented the 2010 Tentative Budget for the Town of Harrison.

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2009 - - 421 - - a ACCEPTANCE OF CORRESPONDENCE AND REPORTS:

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

t was

RESOLVED to accept the following correspondence and reports:

- 1a. Quarterly report by the Director of the Harrison Library for July, August and September 2009.
- 1b. Monthly report by the Chief of Police for September 2009.

Invitation by Michael Andersen, Project Director for the Tappan Zee Bridge, to participate in a very special event to launch their technical assistance initiative, "Transit-Oriented Development Building Quality Communities around Transit", at the Westchester County Center, White Plains, NY, on Monday, November 16th from 8 am through 4 pm, and on Thursday, November 19th at the Palisades Center, West Nyack, NY. The workshops are provided at no cost to the participant but registration is requested. Lunch will be available for purchase within the vicinity of the meeting facility.

Letter from the Harrison Festival Japanese Committee Re: Contributions to the following organizations for a total of \$5,200, from funds raised at the Great to Live in Harrison Day celebration as well as from Japanese families.

Harrison Public Library	\$1,700.
Harrison Recreation Center	1,000.
Harrison Central School District	1,200.
Harrison Police Association	500.
Harrison Fire Department	500.
Harrison EMS	100.
Newcomer's Club	200.

Supervisor Walsh thanked the Committee and said that the Japanese food booth is always the first to run out of food.

Adonted by	the following vote:	
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AYES: Councilman Cannella, Scappaticci, Vetere and Sciliano

Supervisor Walsh

NAYS: None

ABSENT: None

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2009 - - 421 - - b <u>APPROVAL TO REFER THE AGREEMENT OF</u> <u>THE CURRENT IMA FOR SOLID WASTE</u> TO THE LAW DEPARTMENT

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to refer the Agreement of the current IMA for Solid Waste and Recyclables Disposal which expired on October 21, 2009 to the Law Department for review.

FURTHER RESOLVED to forward a copy of this Resolution to the Commissioner of Public Works and the Town Attorneys.

Adopted by the following vote:

AYES:

Councilmen Cannella, Vetere, Scappaticci and Siliano

Supervisor Walsh

NAYS:

None

ABSENT:

None

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PUBLIC HEARING – CONTINUATION OF PUBLIC HEARING RE: AMENDING THE RESIDENCE DISTRICT, TABLE OF DIMENSIONAL REGULATIONS THE MODIFICATION OF THE "B" ZONE

On motion of Councilman Cannella, seconded by Councilman Scappaticci, with all members voting in favor, the Hearing was opened.

On motion of Councilman Cannella, seconded by Councilman Scappaticci, with all members voting in favor, the Hearing was continued until the first meeting in December.

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APPROVAL TO ACCEPT THE DONATION FROM MASTERCARD INTERNATIONAL IN THE AMOUNT OF \$10,000 FOR FIRE PREVENTION

On motion of Councilman Scappaticci, seconded by Councilman Sciliano,

it was

RESOLVED to accept the donation from MasterCard Worldwide, in the amount of \$10,000 to be used for Fire Prevention.

FURTHER RESOLVED to forward a copy of this Resolution to he Comptroller, the Assistant Fire Marshal and the Law Department.

Adopted by the following vote:

AYES:

Councilmen Cannella, Vetere, Scappaticci and Sciliano

Supervisor Walsh

NAYS:

None

ABSENT:

None

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APPROVAL TO ACCEPT DONATIONS FOR THE HARRISON DOG PARK IN THE AMOUNT OF \$480.

On motion of Councilman Vetere, seconded by Councilman Cannella,

it was

RESOLVED to approve the request by Comptroller Maureen MacKenzie for authorization to accept the following donations for the Harrison Dog Park Account #009-615, in the amount of \$480:

Laura T. Reilling and Henry Reilling III	\$ 30
Jessica Stelling	\$ 10
Theresa B. Gray and Michael A. Gray	\$ 25
Janet G. Demuth	\$ 50
Christopher J. Troise and Petra Troise	\$100
Erin E. Salo-Mullen	\$100
Luis A. Marino and Olga Marino	\$ 40
Joan B. Walsh	\$100
Carole A. Kenny and Roger M. Kenny	\$ 25

Total donations to date: \$3,931.

FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller and the Commissioner of Public Works.

Adopted by the following vote:

AYES:

Councilmen Cannella, Vetere, Scappaticci and Sciliano

Supervisor Walsh

NAYS:

None

ABSENT:

None

Robert Porto, resident addressed the Board in opposition to the dog park. Mr. Porto stated he would like to see the location moved to the area located in Veteran's Park. Mr. Porto explained the park will cause a noise problem for the neighbors in the area. Mr. Porto submitted a petition of residents opposed to the park being located there.

Councilman Scappaticci stated he lives opposite the dog park located in White Plains and at first he was opposed to that project but the Councilman does not believe it is a problem in present day.

Supervisor Walsh stated the project site Mr. Porto proposes is not sufficient because it is too remote and for safety reasons, she believes it is not appropriate for the visitors.

Councilman Vetere stated he has offered his services to Mr. Porto to visit Veterans Park to try and locate a possible alternative location.

Lucille Held addressed the Board and recommended the park be located in the Kenilworth Road. area of town which currently has open space.

Deputy Village Attorney Jonathan Kraut stated that that particular area on Kenilworth Road is restricted for certain purposes and cannot be used for a dog park.

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ADJOURNED: REQUEST BY ACTING TOWN ENGINEER FOR AUTHORIZATION FOR A PROFESSIONAL SERVICES CONTRACT WITH PATRICK CLEARY

Adjourned until the November 18th Meeting.

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APPROVAL TO ACCEPT DONATIONS FOR THE EMILIO SCATENATO PLAQUE IN THE AMOUNT OF \$1,200

On motion of Councilman Vetere, seconded by Councilman Cannella,

it was

RESOLVED to approve the request by Comptroller Maureen MacKenzie for authorization to accept the following donations in the amount of \$1,200 for the Emilio Scatenato Plaque, Account #009-616:

Steven Purdy	\$100
Ralph Menelaus Lepino	\$100
William Bisignano	\$100
LaVigna Bros. Garage	\$100
Alltron Inc.	\$250
Harvest Plumbing and Heating	\$100
Sam Navarra Landscaping	\$100
Joseph and Linda Carnevalla	\$100
Richard Contrata	\$ 25
Nicholas and Jayne Contrata	\$ 25
Joseph Acocella, Sr.	\$100
Joan B. Walsh	\$100

FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller.

Adopted by the following vote:

AYES:

Councilmen Cannella, Vetere, Scappaticci and Sciliano

Supervisor Walsh

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NAYS:

None

ABSENT:

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APPROVAL FOR THE APPORTIONMENT OF LOT 23 (Po13), BLOCK 301 and Lot 6, BLOCK 314 ON THE 2009 ASSESSMENT ROLL (TAXES OF 2010)

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to approve the request by Assessor James Calandruccio for authorization for the apportionment of assessed valuation of Lot 23 (Po13), Block 301 and Lot 6, Block 314, on the 2009 Assessment Roll (Taxes of 2010). The owners of Lot 6, Block 314, have conveyed 0.3392 acres to the adjoining owners (Mr. Steven Struhl and Ms. Laurie Tanzer); this conveyance has been approved by the Town Planning Board on November 18, 2008 (PB2008/75); in accordance with the attached subdivision map entitled "Reapportionment Map of tax Lot 23, Block 301 and tax Lot 6, Block 314 on the official tax assessment of the Town of Harrison, Westchester County, New York, prepared for Constance Varlamos and Steven Struhl" which was properly approved and filed in the County Clerk's Office of Westchester County on September 17, 2009 as Map No. 28268.

FURTHER RESOLVED to forward a copy of this Resolution to the Assessor and the Receiver of Taxes.

Adopted by the following vote:

AYES:

Councilmen Cannella, Vetere, Scappaticci and Sciliano

Supervisor Walsh

NAYS:

None

ABSENT:

None

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2009 - - 428 DRAINAGE EASEMENT AT 88 POST PLACE

Deputy Village Attorney Jonathan Kraut stated that he circulated a memo to the Board of a survey of Post Place.

Mr. Kraut explained that there is a drainage easement that existed in order to benefit the Town and is 10 foot wide. A detached garage was constructed which encroached into the easement area. The Town Engineer required that they either echo or magnetically locate this pipe. Engineering located the pipe which was not within the structure but a couple of feet away from the building. The property owner requests that the easement area be shifted along the area partially to the detached garage. Commissioner Wasp reviewed the area and he and Mr. Kraut believe that that would be the appropriate thing to do. Upon review any modifications to the drainage pipe required by the Town Engineer would have to be completed at the cost to the grantor and the grantor would also have to pay any fees, costs or recording charges associated with the modification of the easement agreement.

Councilman Cannella asked was the easement originally granted as a result of what.

Mr. Kraut answered: for drainage purposes. There is a question as to how long the pipe that's in there has been there verses what the Engineering Department records show, which is a slightly different size pipe but that's being worked on.

Mr. Cannella asked when the easement agreement was granted.

Mr. Kraut replied pre 1940.

On motion of Councilman Cannella, seconded by Councilman Scappaticci,

it was

RESOLVED to approve the modification to the easement area.

FURTHER RESOLVED that the Supervisor be authorized to execute an easement modification agreement, subject to final review by the Law Department and Engineering Department.

FURTHER RESOLVED that any modifications to the drainage pipe required by the Town Engineer would have to be completed at the cost to the Grantor and the Grantor would also have to pay any fees, costs or recording charges associated with the modification of the easement agreement.

FURTHER RESOLVED to forward a copy of this Resolution to the Town Attorneys and the Town Engineer.

Adopted by the following vote:

AYES:

Councilmen Cannella, Scappaticci, Vetere and Sciliano

Supervisor Walsh

NAYS:

None

ABSENT:

None

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RE-OPENED TOWN BOARD MEETING TO DISCUSS THE EMPLOYEE RETIREMENT INCENTIVE MATTER 8:08 PM.

Supervisor Walsh explained the Board would like to adopt the Employee Retirement Incentive.

Jonathan Kraut, Deputy Village Attorney explained the proposed incentive.

Councilman Scappaticci requested to take the matter into executive session for advice of counsel.

Councilman Cannella made clear if these employees were to accept the incentive and retire, the positions would not be filled in the 2010 budget.

On motion of Councilman Scappaticci, seconded by Councilman Cannella, with all members voting in favor the matter was moved to Executive Session.

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2009 - - 430 MATTERS FOR EXECUTIVE SESSION:

Personnel 2 Settlement of claim 1 Advice of counsel 1

On motion duly made and seconded, with all members voting in favor, the Meeting was recessed for Executive Session at 8:14 PM.

On motion duly made and seconded, with all members voting in favor, the Meeting was re-convened at 9:05 PM.

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2009 - - 431 APPROVAL OF THE RETIREMENT INCENTIVE PROPOSAL

On motion of Councilman Cannella, seconded by Councilman Vetere,

it was

RESOLVED to approve the Retirement Incentive Proposal subject to review by the Law Department.

FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller, the Law Department and the Personnel Manager.

Adopted by the following vote:

AYES:

Councilman Cannella, Scappaticci, Vetere and Sciliano

Supervisor Walsh

NAYS:

None

ABSENT:

None

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2009 - - 432 SETTLEMENT OF CLAIM: MUIA v TOWN OF HARRISON

On motion of Councilman Vetere, seconded by Councilman Scappaticci,

it was

RESOLVED to settle the claim of Muia v Town of Harrison in the amount of \$1,840.46, for automobile damages.

FURTHER RESOLVED that this settlement is subject to the claimant signing a General Release.

FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller and the Town Attorneys.

Adopted by the following vote:

AYES:

Councilman Cannella, Scappaticci, Vetere and Sciliano

Supervisor Walsh

NAYS:

None

ABSENT: None

There being no further matters to come before the Board, the Meeting was on motion duly made and seconded, declared closed at 9.05 PM.

Respectfully submitted,

Joseph Acocella Town Clerk

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